IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE SE/S Pulaski Highway, 695' SW of Mohrs Lane (9919 Pulaski Highway)

6th Councilmanic District

\* DEPUTY ZONING COMMISSIONER 15th Election District \* OF BALTIMORE COUNTY

. . . . . . . . . . .

The Price Company Petitioner

\* Case No. 89-407-X

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to use a portion of the subject property for a service garage ar. a mend the previously approved site plan in Case No. 87-414-X as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Laura Hofherr, Marketing Manager, and Tony Nelson, Manager, Tire Garage, appeared, testified and were represented by Robert A. Hoffman, Esquire. 'Iso appearing and testifying on behalf of the Petition was Joe DiMarino with Landtech. There were no Protestants.

Testimony indicated that the subject property, known as 9919

Pulaski Highway, consists of 18.03 acres, split zoned M.L.-C.S.-1 and M.L.-I.M., and is the site of the Price Club Membership Warehouse, hereinafter referred to as "Price." Testimony indicated the property was the subject of prior Case No. 86-334-SPH in which its use as a wholesale operation was determined to be a permitted use in an M.L. zone. Petitioners thereafter requested a special exception in Case No. 87-414-X to establish a service garage on the property for a tire service operation solely for the benefit of Price members who purchased tires at its warehouse. Said request was approved on April 24, 1987 as an accessory use to the warehouse operation, subject to it being limited to the changing, mounting and balancing of tires for members of Price who purchased tires from Price.

Petitioners have filed the instant Petition to expand the use in response to requests by its customers to expand its service garage operations to include changing oil, installation of radios, and other related service station work. Testimony indicated that the operation would primarily serve the surrounding industrial area and uses. Testimony further indicated that the conditions delineated in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) will be met by this project.

Petitioners pointed out the favorable recommendation for approval of this project submitted by the Office of Planning, provided a revised CRG plan and a revised landscaping plan were submitted for approval. Further testimony indicated that Petitioners would comply with the requirements of DEPRM.

It is clear that the B.C.Z.R. permits the use proposed in the M.L. zones by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 wuld have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

PETITION FOR SPECIAL EXCEPTION

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):

Signature

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 14th day of Afril 1989, at 2 o'clock

herein described property for \_\_ a service garage and to amend Zoning

Property is to be posted and advertised as prescribed by Zoning Regulations.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Commissioner Case No. 87-414X

Contract Purchaser:

Signature

City and State

Attorney for Petitioner:

John B. Howard

10 Allegheny Avenue

Touson, Maryland 21204

Attorney's Telephone No.: 823-4111

-----

Signature

L.C.O.-Ne. 1

City and State

(Type or Print Name)

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the

THEREFORE, IT IS, ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of May, 1989 that the Petition for Special Exception to use a portion of the subject property for a service garage and to amend the previously approved site plan in Case No. 87-414-X. in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioner may apply for its permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> Prior to the issuance of any permits, Petitioners shall submit for review and approval by the Office of Current Planning a revised CRG plan and a revised landscaping plan.

> permits, Petitioner shall submit for approval by the Zoning Commissioner and/or Deputy Zoning Commissioner

After reviewing all of the testimony and evidence presented, it

relief requested in the special exception should be granted.

3) Prior to the issuance of any building and/or use

a revised site plan which includes the requirements of the Zoning Office and sets forth and addresses the restrictions of this Order.

4) Petitioner shall comply with the requirements of the Department of Environmental Protection and Resource Management, Bureau of Water Quality, as set forth in their comments dated February 6, 1989, attached hereto and made a part hereof.

5) Patrowage of the service garage shall be limited to Price members only.

6) All service work performed in the service garage shall be limited to light, mechanical work, including, but not limited to, tune-ups and oil changes.

6) No body or fender work shall be conducted on the

7) At no time shall any vehicles be stored overnight

premises.

on the premises; and,

IT IS FURTHER CROERED that the terms and conditions of the Order

issued June 11, 1986 in Case No. 86-334-SPH and the Order issued April 24, 1987 in Case No. 87-414-X shall remain in full force and effect, except as herein modified.

> a Motorous ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

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CERTIFICATE OF POSTING FYCING DEPARTMENT OF BALTIMORE COUNTY

Towns, Meryland		
District 15 Th		Date of Posting 3/2" /89
Posted for Special FX Petitioner: The Price of	Company	
Location of property SE/S Put 9919 Pales Ni B		
Location of Some Facing Pol	sti Huy, or	non 15' Fr. Yordung
Remarks:		

89-407-X

## CERTIFICATE OF PUBLICATION

TOWSON, MD., March 24 19,89 THIS IS TO CERTIFY, that the annexed advertisement was oublished in THE JEFFERSONIAN, a weekly newspaper published. in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on March 23. 19 89

> NORTHEAST TIMES THE JEFFERSONIAN.

PO10841 rea H 2709/ price \$74.86

**LANDTECH CORPORATION** 

DESCRIPTION OF PROPERTY SITUATED IN THE 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the easterly right-of-way line of PILASII MIGHWAY, U.S ROUTE 40, at a distance of 695.12 feet from the northeasterly intersection of MOHRS LANE; thence leaving said right-of-way

- 1. S 67° 32° 37" E, 1443.77 feet; thence
- 2. S 45° 20° 16" W, 667.55 feet; thence
- 3. ¥ 48° 07° 45° W. 200.99 feet: thence
- 4. ¥ 67° 32' 37" W, 1177.82 feet to a point on the aforesaid right-ofway line of PULASKI HIGHWAY; thence with same
- 5. % 40° 55° 53° E, 578.00 feet to the point of beginning Containing 785,554 square feet or 18.03 Acres of land, more or less.



2561 Rwa Road . Suite 620 . Riva 400 Office Park . Annapolis, MD 21401 Pathmere 841-A30V • Washington, DC 261-8771 • Annagolis 265-3033

Towson, Maryland 21204 (201) 887-3353 J. Robert Hzines May 8, 1989 John B. Howard, Esquire Robert A. Hoffman, Esquire 210 Alletheny Avenue Towson, Maryland 21204 RE: PETITION FOR SPECIAL EXCEPTION SE/S Pulaski Highway, 695' SW of Mohrs Lane (9919 Pulaski Highway) 15th Election District - 6th Councilmanic District The Price Company - Petitioners Case No. 83-407-X Dear Messrs. Howard and Hoffman: Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order. In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391. Very truly yours, A N. Nestanie

Dennis F. Rasmussen

required by the Zcning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

AMN:bjs

Latimore County Zoning Commissioner

Office of Planning & Zoning

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Donald Howells

2657 Ariane Drive 619-581-4743

San Diego, California 92117

John B. Howard. Esquire

1922, that the subject matter of this petition be advertised, as

Name, address and phone number of legal owner, con-tract purchaser or representative to be contacted

Name 210 Allegheny Avenue

Towson Maryland 21204: 823-4111

(Type or Print Name)
President, Land Acquisition & Real Estate

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this 8년 day of <u>Pebruary</u>, 19 5및 Petitioner Dorald Howells, at ux Received by: James E. Dyar Chairman, Zoning Plans Petitioner's Advisory Committee Attorney BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

> BALTIMORE COUNTY, MARYLAND
> OFFICE OF FIRE CE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT VALIDATION OR SIGNATURE OF CASHIER

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

The Price Company 2657 Ariane Drive

San Diego, California 92117 ATTN: DONALD HOWELLS

> Petition for Special Excepiton SES Pulaski Highway, 695' SW Mohrs Lane

9919 Pulaski Highway 15th Election District - 6th Councilmanic Petitioner(s): The Price Company "TARING SCHEDULED: FRIDAY, APRIL 14, 1989 at 2:00 p.m.

Please be advised that 89.86 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines J. ROBERT HAINES Zoning Commissioner of Baltimore County

Date: 4-3-89

John B. Howard, Esq.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines Zoning Commissioner

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Excepiton SES Pulaski Highway, 695' SW Mohrs Lane 9919 Pulaski Highway 15th Election District - 6th Councilmanic Petitioner(s): The Price Company HEARING SCHEDULED: FRIDAY, APRIL 14, 1989 at 2:00 p.m.

Special Exception: A service garage and to amend Zoning Commissioner Case Number: 87-414-X.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Polont flaince

Baltimore County The Price Company John B. Howard, Esq.

Zoning Commissioner of

J. ROBERT HAINES

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 21, 1989

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21224

REPORTS

Department of Traffic Engineering

Puresu of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education Zoning Administration

State Boads Commission

Burres of

John B. Howard, Esquire 210 Allegheny Avenue Towson, MD 21204

> RE: Item No. 317, Case No. 89-407-X Petitioner: Donald Howells, et al Petition for Special Exception

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVEANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 687-3391.

Very truly yours,

James E. Dyer/jw DAMES E. DYER Zoning Plans Advisory Committee

JED: jw

Enclosures

cc: Mr. Donald Howells

The Price Company 2657 Ariane Drive San Diego, CA 92117

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Maryland Department of Transportation (CONT) State Highway Administration



ZONING COFFICE

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

ATIN: Mr. James Dyer

Re: Baltimore County The Price Club Zoning Meeting of 2-7-89 S/S \_ulaski Highway (Route 40-E) 695' West of Mohrs Lane (Item #317)

Richard H. Trainor

Hal Kassoff

Dear Mr. Haines:

After reviewing the submittal for a special exception for a service garage and to amend Zoning Commissioner Case No. 87-414X, we find the plan acceptable.

If you have any questions, please call Larry Brocato of this office at 333-150.

Very truly yours,

Creston J. Mills, Jr., Chief Bureau of Engineering Access Permits

LB:maw

cc: Land Tech Mr. J. Ogle

> My telephone number is (301) 333-1350 Teletypewriter for Impaired Hearing or Speech
> 383-7555 Battimore Metro - 565-0451 D.C. Mctro - 1-800-492-5062 Statewide Toll Free
> 707 North Calvert St., Baltimore, Maryland 21203-0717

Balanare County Department of Public Works Buress of Traffic Engineering Courts Building, Suite 405 Towsen, Maryland 21204 494-3554

March 1, 1989

Mr. J. Robert Haines Zoning Commissioner County Office Building Towsce, MD 21204

Dear Mr. Haines,

The Bureau of Traffic Engineering has no comments for items number 290, 297, 298, 309, 310, 311, 315, 317, 319, 320, 321, & 323.

Very truly yours, - Muchael STling -

Michael S. Flanigan Traffic Engineer Assoc. II

MSF/lab



ZONING OFFICE

Baltimore County Fire Department Towson, Maryland 213142586 494-4500

Paul H. Reincke

J. Robert Baines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204

Re: Property Owner: The Price Club

Location: #9919 Pulaski Highway

Zoning Agenda: Meeting of February 7, 1989 Item No.: 317

February 14, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXERDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( %) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Division

The Petitioner requests a special exception for a service garage and to amend the Order in Case No. 87-414-X. In reference to this request, staff provides the following comments:

The proposed use to be located in existing facilities would be appropriate here.

The site plan submitted with this settion does not match the existing approved CRG plan or landscape plan. A revised CRG plan and revised landscape plan which reflect the current uses and conditions on the site should be submitted for approval

PRICE CLUB W-90-217 PAGE 2

SIGNS -- Provide an engineering scale elevation on the plan of all existing and proposed free-standing signs clearly indicating the type, height, dimensions, square footage, single or double-face and illumination. All signs must be keyed to their existing or proposed location on the plan print and enough detail must be shown to determine compliance with Section 413.2, 413.5 (B.R.), 413.6 (M.L.) - B.C.Z.R. and all zoning sign policies or a zoning variance is required.

Enlarge the vicinity map to 1"=1,000' scale or greater.

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

JOHN L. LEWIS
PLANNING & ZONING ASSOCIATE III

JLL:s

cc: Frank Fisher, Current Planning
Zoning Files - #86-334-SPH, #87-414-X, #89-407-X
Paiver File

BAL OF E COUNTY DEPARTMENT OF ENVIR SENTAL 2/6/89 Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Zoning Item # 3/7, Zoning Advisory Committee Meeting of February 7/989

Property Owner: The Price Club

Location: 99/9 Pulaski Highway

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS: • ( ) Prior to approval of a Building Permit for construction, removation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval. ( ) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins. A permit to construct from the Bureau of Quality Management is required for such it ins as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts "to the atmosphere. ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more. ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval. ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sames, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315. ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment. .- "( ) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 867-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestoes, 887-3775. ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandoment, owner must contact the Division of Waste Mr. ... ement at 887-3745. ( ) Soil percolation tests, have been \_\_\_\_, must be \_\_\_\_, conducted. ) The results are valid until ( ) Soil rereclation test results have expired. Petitioner should contact the Division of Water and Sever to determine whether additional tests are required. ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ) shall be valid until ( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications. ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 337-3980. ( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the sibdivision process, please contact the Land Development Section at 887-2762. (15 cos Drainage from interior service pays is to be directed to sonitary sewer via oil separator.

Total Reserve Control of the Control

(TO SAMEILO RENTE 89-407-X

BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Bob Bowling - Dev. Eng. (3)
Frank Fisher - Current Planning
Rahim Famili - Traffic Engineering
Rocky Powell - DEPRM
Larry Pilson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincer - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: /Price Club '
Di Tict 15 C6
Waive: Number W-90-217 : 90262
Stephens 825-8120

To: John L.
7/9/90 MOR

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give us your approval or comments by July 726, 1990.

If you cannot respond by the above date, please contact our

SDW:klm Attachment cc: File

(SEE OTHER SIDE FOR COMMENTS)

PRICE CLUB
W-90-217
Previous Planning #XV435

Plan Date: 6/6/90 Comments For: 7/26/90 Comments Date: 7/16/90

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify possible conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Requests".

Correct the B.R.-I.M./M.L.-I.M. zone line on parcel #3 per the 1986 1"=200" scale zoning maps NE6 and 7H. Remove the portion of the retail building and all supporting parking which falls within the M.L.-I.M. zone. Show and label all existing or proposed lot or lease lines and breakdown all calculations by these individual lot or parcels. Show front building orientations and compliance with S.238 (B.C.Z.R.).

HISTORY -- Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case numbers 86-334-SPH, 87-414-X and 89-407-X. Clearly show the limits of the hearing area for each case and key each area to the hearing notes. If the existing or proposed improvements differ from those shown within the defined hearing areas on the approved hearing plans, then a red-lined site plan clearly showing all proposed changes must be submitted to the Deputy Zoning Commissioner with an accompanying explanatory cover letter requesting approval of these changes without the requirement of a special hearing to amend the approved plan.

Show, dimension and label all leading areas to comply with S.409.11 and for the restaurant stacking, show the principal pedestrian access which the stacking may not cross S.409.10 (B.C.Z.R.). Note that all parking is to be permanently striped and all paving will be durable, dustless surface. Dimension all off-street parking at 10 ft. from any existing or proposed street right-of-ways.

